Metcalf
Meyers
Mica
Miller (FL)
Mink
Molinari
Moorhead
Moran
Morella
Myers
Myrick
Nadler
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Olver
Owens
Oxley
Packard
Pallone
Pastor
Paxon
Pelosi
Peterson (MN)
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Rivers
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Rush
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shays
Shuster
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Volkmer
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wyden
Wynn
Zeliff
Zimmer

NAYS—128

Abercrombie
Baesler
Baker (CA)
Baldacci
Barrett (WI)
Beilenson
Bereuter
Berman
Bevill
Bilirakis
Borski
Browder
Brown (CA)
Brown (FL)
Callahan
Canady
Chapman
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Combest
Conyers
Coyne
Cramer
Cunningham
de la Garza
Dellums
Dicks
Dixon
Edwards
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Foley
Ford
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Hamilton
Hastert
Hastings (FL)
Hefner
Hilliard
Jackson-Lee
Jacobs
Johnson, E.B.
Johnston
Kanjorski
Kennedy (MA)
Kennedy (RI)
Klink
Knollenberg
LaFalce
Lewis (GA)
Lightfoot
Livingston
Longley
Martinez
Matsui
McCollum
McCrery
McDade
McDermott
McKinney
Meek
Mfume
Miller (CA)
Mineta
Mollohan
Montgomery
Murtha
Neumann
Obey
Ortiz
Orton
Parker
Payne (NJ)
Payne (VA)
Peterson (FL)
Petri
Pomeroy
Rahall
Rangel
Reed
Richardson
Roemer
Rose
Roukema
Roybal-Allard
Sabo
Schroeder
Shaw
Sisisky
Skaggs
Skelton
Souder
Spence
Spratt
Stark
Stokes
Studds
Taylor (MS)
Thompson
Thornton
Torkildsen
Torres
Tucker
Visclosky
Vucanovich
Ward
Waters
Watt (NC)
Waxman
Williams
Woolsey
Yates
Young (FL)

NOT VOTING—8

Bateman
Hall (OH)
Jefferson
Minge
Moakley
Reynolds
Thurman
Young (AK)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶106.12 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1854

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 104–221) the resolution (H. Res. 206) waiving points of order against the conference report to accompany the bill (H.R. 1854) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1996, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶106.13 COURT REPORTER FAIR LABOR AMENDMENTS

On motion of Mr. FAWELL, by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 1225) to amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies, and for other purposes.

When said bill was considered and read twice.

The following amendment in the nature of a substitute, recommended by the Committee on Economic and Educational Opportunities, was then agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘‘Court Reporter Fair Labor Amendments of 1995’’.

SEC. 2. LIMITATION ON OVERTIME COMPENSATION FOR COURT REPORTERS.

Section 7(o) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(o)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph:

‘‘(6) The hours an employee of a public agency performs court reporting transcript preparation duties shall not be considered as hours worked for the purposes of subsection (a) if—

‘‘(A) such employee is paid at a per-page rate which is not less than—

‘‘(i) the maximum rate established by State law or local ordinance for the jurisdiction of such public agency,

‘‘(ii) the maximum rate otherwise established by a judicial or administrative officer and in effect on July 1, 1995, or

‘‘(iii) the rate freely negotiated between the employee and the party requesting the transcript, other than the judge who presided over the proceedings being transcribed, and

‘‘(B) the hours spent performing such duties are outside of the hours such employee performs other work (including hours for which the agency requires the employee’s attendance) pursuant to the employment relationship with such public agency.

For purposes of this section, the amount paid such employee in accordance with subparagraph (A) for the performance of court reporting transcript preparation duties, shall not be considered in the calculation of the regular rate at which such employee is employed.’’.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall apply after the date of the enactment of this Act and with respect to actions brought in a court after the date of the enactment of this Act.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.14 PERMISSION TO FILE REPORT

On motion of Mr. CLINGER, by unanimous consent, the Committee on Government Reform and Oversight was granted permission until midnight tonight to file reports on the bills (H.R. 1670) to revise and streamline the acquisition laws for the Federal Government, to reorganize the mechanisms for resolving Federal procurement disputes, and for other purposes; and (H.R. 2108) to permit the Washington Covention Center Authority to expend revenues for the operation and maintenance of the existing Washington Convention Center and for preconstruction activities relating to a new convention center in the District of Columbia, to permit a designated authority of the District of Columbia to borrow funds for the preconstruction activities relating to a sports arena in the District of Columbia and to permit certain revenues to be pledged as security for the borrowing of such funds, and for other purposes.

¶106.15 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶106.16 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO IRAQ

The SPEAKER pro tempore, Mr. METCALF, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I hereby report to the Congress on the development since my last report of February 8, 1995, concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 of August 2, 1990. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c).

Executive Order No. 12722 ordered the immediate blocking of all property and interests in property of the Government of Iraq (including the Central Bank of Iraq) then or thereafter locateed in the United States or within the possession or control of a U.S. person. That order also prohibited the importation into the United States of goods and services of Iraqi origin as well as the exportation of goods, services, and technology from the United States to Iraq. The order prohibited travel-related transactions to or from Iraq and the performance of any contract in support of any industrial, commercial, or governmental project in Iraq. United States persons were also prohibited from granting or extending credit or loans to the Government of Iraq.

The foregoing prohibitions (as well as the blocking of Government of Iraq property) were continued and augmented on August 9, 1990, by Executive Order No. 12724, which was issued in order to align and sanctions imposed by the United States with United Nations Security Council Resolution 661 of August 6, 1990.

Executive Order No. 12817 was issued on October 21, 1992, to implement in the United States measures adopted in United Nations Security Council Resolution 778 of October 2, 1992. Resolution 778 requires U.N. Member States to transfer to a U.N. escrow account any funds (up to $200 million apiece) representing Iraqi-oil sale proceeds paid by purchasers after the imposition of U.N. sanctions on Iraq, to finance Iraq's obligations for U.N. activities with respect to Iraq, such as expenses to verify Iraqi weapons destruction, and to provide humanitarian assistance in Iraq on a nonpartisan basis. A portion of the escrowed funds also funds the activities of the U.N. Compensation Commission in Geneva, which handles claims from victims of the Iraqi invasion and occupation of Kuwait. Member States also may make voluntary contributions to the account. The funds placed in the escrow account are to be returned, with interest, to the Member States that transferred them to the United Nations, as funds are received from future sales of Iraqi oil authorized by the U.N. Security Council. No Member State is required to fund more than half of the total transfers or contributions to the escrow account.

This report discusses only matters concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 and matters relating to Executive Orders No. 12724 and 12817 (the ''Executive orders''). The report covers events from February 2, 1995, through August 1, 1995.

1. During the reporting period, there were no amendments to the Iraqi Sanctions Regulations.

2. The Department of the Treasury's office of Foreign Assets Control (''FAC'') continues its involvement in lawsuits seeking to prevent the unauthorized transfer of blocked Iraqi assets. In Consarc Corporation versus Iraqi-ministry of Industry and Minerals, a briefing schedule has been set for disposition of FAC's December 16, 1994, appeal of the district court's order of October 17, 1994, transferring blocked property.

Investigations of possible violations of the Iraqi sanctions continue to be pursued and appropriate enforcement actions taken. There are currently 43 enforcement actions pending, including nine cases referred by FAC to the U.S. Customs Service for joint investigation. Additional FAC civil penalty notices were prepared during the reporting period for violations of the International Emergency Economic Powers Act and Iraqi sanction Regulations with respect to transactions involving Iraq. Three penalties totaling $8,905 were collected from two banks for funds transfers in violation of the prohibitions against transactions involving Iraq.

3. Investigation also continues into the roles played by various individuals and firms outside Iraq in the Iraqi government procurement network. These investigations may lead to additions to FAC's listing of individuals and organizations determined to be Specially Designated Nationals (''SDNs'') of the Government of Iraq.

4. Pursuant to Executive Order No. 12817 implementing United Nations Security Council Resolution 778, on October 26, 1992, FAC directed the Federal Reserve Bank of New York to establish a blocked account for receipt of certain post-August 6, 1990, Iraqi-oil sales proceeds, and to hold, invest, and transfer these funds as required by the order. On March 21, 1995, following payments by the Governments of Canada ($1,780,749.14), the European Community ($399,695.21), Kuwait ($2,500,000.00), Norway ($261,758.10), and Switzerland ($40,000.00), respectively, to the special United Nations-controlled account, entitled ''United Nations Security Council Resolution 778 Escrow Account,'' the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $4,982,202.45 from the blocked account it holds to the United Nations-controlled account. Similarly, on April 5, 1995, following the payment of $5,846,238.99 by the European Community, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $5,846,238.99 to the United Nations-controlled account. Again, on May 23, 1995, following the payment of $3,337,941.75 by the European Community, $571,428.000 by the Government of the Netherlands and $1,200,519.05 by the Government of the United Kingdom, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $5,109,888.80 to the United Nations-controlled account. Finally, on June 19, 1995, following the payment of $915,584.96 by the European Community and $736,923.12 by the Government of the United Kingdom, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $1,652,508.08 to the United Nations-controlled account. Cumulative transfers from the blocked Federal Reserve Bank of New York account since issuance of Executive Order No. 12817 have amounted to $175,133,026.20 of the up to $200 million that the United States is obligated to match from blocked Iraqi oil payments, pursuant to United Nations Security Council Resolution 778.

5. The Office of Foreign Assets Control has issued a total of 590 specific licenses regarding transactions pertaining to Iraq or Iraqi assets since August 1990. Licenses have been issued for transactions such as the filing of legal actions against Iraqi governmental entities, legal representation of Iraq, and the exportation to Iraq of donated medicine, medical supplies, food intended for humanitarian relief purposes, the execution of powers of attorney relating to the administration of personal assets and decedents' estates in Iraq, the protection of preexistent intellectual property rights in Iraq and travel to Iraq for the purposes of visiting Americans detained there. Since my last report, 57 specific licenses have been issued.

6. The expenses incurred by the Federal Government in the 6 month period from February 2, 1995, through August 1, 1995, which are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iraq are reported to be about $4.9 million, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of International Organization Affairs, the Bureau of Political-Military Affairs, the U.S. Mission to the United Nations, and the Office of the Legal Adviser) and the Department of Transportation (particularly the U.S. Coast Guard).

7. The United States imposed economic sanctions on Iraq in response to Iraq's illegal invasion and occupation of Kuwait, a clear act of brutal aggression. The United States, together with the international community, is maintaining economic sanctions against Iraq because the Iraqi regime has failed to comply fully with United Nations Security Council resolutions. Security Council resolutions on Iraq call for the elimination of Iraqi weapons of mass destruction, Iraqi recognition of Kuwait and the inviolability of the Iraq-Kuwait boundary, the release of Kuwaiti and other third-country nationals, compensation for victims of Iraqi aggression, long-term monitoring of weapons of mass destruction capabilities, the return of Kuwaiti assets stolen during Iraq's illegal occupation of Kuwait, renunciation of terrorism, an end to internal Iraqi repression of its own civilian population, and the facilitation of access of international relief organizations to all those in need in all parts of Iraq. More than 5 years after the invasion, a pattern of defiance persists: a refusal to account for missing Kuwaiti detainees; failure to return Kuwaiti property worth millions of dollars, including military equipment that was used by Iraq in its movement of troops to the Kuwaiti border in October 1994; sponsorship of assassinations

in Lebanon and in northern Iraq; incomplete declarations to weapons inspectors; and ongoing widespread human rights violations. As a result, the U.N. sanctions remain in place; the United States will continue to enforce those sanctions under domestic authority.

The Baghdad government continues to violate basic human rights of its own citizens through systematic repression of minorities and denial of humanitarian assistance. The Government of Iraq has repeatedly said it will not be bound by United Nations Security Council Resolution 688. For more than 4 years, Baghdad has maintained a blockade of food, medicine, and other humanitarian supplies against northern Iraq. The Iraqi military routinely harasses residents of the north and has attempted to ''Arabize'' the Kurdish, Turcomen, and Assyrian areas in the north. Iraq has not relented in its artillery attacks against civilian population centers in the south or in its burning and draining operations in the southern marshes, which have forced thousands to flee to neighboring States. In April 1995, the U.N. Security Council adopted resolution 986 authorizing Iraq to export limited quantities of oil (up to $1 billion per quarter) under U.N. supervision in order to finance the purchase of food, medicine, and other humanitarian supplies. The resolution includes arrangements to ensure equitable distribution of such assistance to all the people of Iraq. The resolution also provides for the payment of compensation to victims of Iraqi aggression and for the funding of other U.N. activities with respect to Iraq. Resolution 986 was carefully crafted to address the issues raised by Iraq to justify its refusal to implement similar humanitarian resolutions adopted in 1991 (Resolutions 706 and 712), such as oil export routes and questions of national sovereignty. Nevertheless, Iraq refused to implement this humanitarian measure. This only reinforces our view that Saddam Hussein is unconcerned about the hardships suffered by the Iraqi people.

The policies and actions of the Saddam Hussein regime continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States as well as to regional peace and security. The U.N. resolutions require that the Security Council be assured of Iraq's peaceful intentions in judging its compliance with sanctions. Because of Iraq's failure to comply fully with these resolutions, the United States will continue to apply economic sanctions to deter it from threatening peace and stability in the region.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *August 1, 1995*.

By unanimous consent, the message was referred to the Committee on International Relations and ordered to be printed (H. Doc. 104–106).

¶106.17 PROVIDING FOR THE CONSIDERATION OF H.R. 1555

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 104–223) the resolution (H. Res. 207) providing for consideration of the bill (H.R. 1555) to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies.

When said resolution and report were referred to the House Calendar and ordered printed.

¶106.18 PROVIDING FOR THE CONSIDERATION OF H.R. 2127

Mr. MCINNIS, by direction of the Committee on Rules, reported (Rept. No. 104–224) the resolution (H. Res. 208) providing for consideration of the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶106.19 ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2017. An Act to authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

¶106.20 BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2017. An Act to authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995, and 1996, and for other purposes.

¶106.21 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. YATES, for July 31 after 7:45 p.m.;

To Mr. TUCKER, for July 31;

To Mrs. MEYERS of Kansas, for July 27, 28, and 31; and

To Mrs. THURMAN, for today.

And then,

¶106.22 ADJOURNMENT

On motion of Mr. BURTON, at 9 o'clock and 23 minutes p.m., the House adjourned.

¶106.23 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLING. Committee on Economic and Educational Opportunities. H.R. 1225. A bill to amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies, and for other purposes; with an amendment (Rept. No. 104–219). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on National Security. House Joint Resolution 102. Resolution disapproving the recommendations of the Defense Base Closure and Realignment Commission; adversely (Rept. No. 104–220). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 206. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1854) making appropriations for the legislative branch for the fiscal year ending September 30, 1996, and for other purposes (Rept. No. 104–221). Referred to the House Calendar.

Mr. CLINGER: Committee on Government Reform and Oversight. H.R. 1670. A bill to revise and streamline the acquisition laws of the Federal Government, to reorganize the mechanisms for resolving Federal procurement disputes, and for other purposes; with an amendment (Rept. No. 104–222 Pt. 1). Ordered to be printed.

Mr. LINDER: Committee on Rules. House Resolution 207. Resolution providing for the consideration of the bill (H.R. 1555) to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies (Rept. No. 104–223). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 208. Resolution providing for consideration of the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes (Rept. No. 104–224). Referred to the House Calendar.

¶106.24 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1670. Referral to the Committees on National Security and the Judiciary extended for a period ending not later than August 2, 1995.

¶106.25 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WAMP (for himself, Mr. DUNCAN, Mr. HILLEARY, Mr. SCARBOROUGH, Mr. RIGGS, Mr. FOLEY, Mr. KINGSTON, Mr. DAVIS, Mr. LARGENT, Mr. BASS, Mr. GUTKNECHT, Mr. WELDON of Florida, Mr. WICKER, Mr. SANFORD, Mr. BUYER, Mr. BLUTE, Mr. LATOURETTE, Mr. KLUG, Mr. SOUDER, Mr. TATE, Mr. FOX, Mr. COBURN, Mr. ENSIGN, Mr. TRAFICANT, Mr. ISTOOK, Mr. RADANOVICH, Mr. ZIMMER, Mr. DEAL of Georgia, Mr. GRAHAM, Mr. STOCKMAN, Mr. UPTON, Mr. MILLER of Florida, Mr. DICKEY, Mr. CHRYSLER, Mr. EWING, Mr. ROHRABACHER, Mr. MCINTOSH, Mr. BALLENGER, Mr.